



Legislation Text

File #: 06576, **Version:** 1

Fiscal Note

Acquisition costs estimated at \$1,000,000 for this project available in
Acct. No. ES01-58130-810550-00-53W0196

Title

Determining a Public Purpose and necessity and adopting a Relocation Order for the acquisition of Plat of land interests required for the construction and maintenance of public sanitary sewer interceptor and lift station improvements for the Lower Badger Mill Creek Interceptor Sewer Segment No. 3 from Mid Town Road to County Trunk Highway S (Mineral Point Road) AND Directing the City Engineer to create a needs assessment for the creation of an Impact Fee District to allow for the City Sewer Utility to recover the entire costs of these acquisitions and improvements, as benefiting properties develop and / or connect to the public sewer. (1st and 9th ADs)

Body

RELOCATION ORDER OF THE CITY OF MADISON, DANE COUNTY, WISCONSIN

PREAMBLE

On March 15, 2005 the City of Madison Common Council approved Resolution No. RES-05-00269, File I.D. No. 00632 Authorizing the Mayor and City Clerk to execute an agreement with Madison Metropolitan sewerage District and the City of Verona to hire a consultant to prepare the design of the Lower Badger Mill Creek Interceptor Sewer and Drainageway; and,

On July 19, 2005 the City of Madison Common Council approved Resolution No. RES-05-00627, File I.D. No. 01519 Authorizing the Mayor and City Clerk to execute Addendum No. 1 to an agreement with the Madison Metropolitan Sewerage District (MMSD) and the City of Verona to hire a consultant for the design of the Lower Badger Mill Creek Interceptor Sewer and Drainageway; and;

On April 18, 2006 the City of Madison Common Council approved Resolution No. RES-06-00356, File I.D. No. 0330 Authorizing the Mayor and City Clerk to execute Addendum No. 2 to an agreement with the Madison Metropolitan Sewerage District (MMSD) and the City of Verona to hire a consultant for the design of the Lower Badger Mill Creek Interceptor Sewer and Drainageway; and;

NOW THEREFORE BE IT RESOLVED,

1. That this Resolution is a Relocation Order in accordance with Section 32.05(1) and 62.22, Wisconsin Statutes for the purpose of the within described public acquisition project and that this acquisition is determined to be necessity in accordance with Section 32.07(2), Wisconsin Statutes, and the acquisition shall allow for the construction of public sanitary sewer interceptor and lift station facilities to serve the Lower Badger Mill Creek Watershed Area;
2. That the City of Madison hereby determines that it is necessary and a public purpose exists to acquire land interests from fifteen different properties. These land interest (permanent and temporary limited easement) acquisitions are required to allow for the construction of said public sanitary interceptor sewer and lift station facilities;
3. City Of Madison Community & Economic Development has established Master File Project No. 8317 to administer the acquisition of said land interests;
4. That the land interests to be acquired from the fifteen (15) different properties are shown on the attached

Relocation Order Map and Schedule of Land Interests exhibits identified as S3-2, S3-3, S3-4, S3-5, S3-6, S3-7, S3-8, S3-9, S3-10, S3-11, S3-12, S3-13, S3-14, S3-15 and S3-16.

5. That the Common Council of the City of Madison, does hereby adopt a relocation order to acquire the necessary land interests (permanent and temporary limited easement rights) for the Engineering Division Project Number 53B0751- Lower Badger Mill Creek Interceptor Sewer consisting of fifteen (15) map and description exhibits in accordance with Section 32.05(1) and 62.22, Wisconsin Statutes;
6. That the Real Estate Section of the Community and Economic Development Unit and the City Attorney are hereby authorized to proceed by negotiation or condemnation under authority of Section 32 and 62.22 of the Wisconsin Statutes to acquire the real estate interests shown on said Relocation Order, and the Real Estate Section is further authorized to obtain title reports, appraisals, survey information, environmental site assessment reports, and any other essential material or reports as may be necessary to perform due diligence in accomplishing the acquisition;
7. Community and Economic Development is hereby authorized to execute the jurisdictional offer, lis pendens, and award of the compensation if condemnation proceedings under Section 32 of the Wisconsin Statutes are necessary;
7. That the Mayor and City Clerk are authorized to sign all necessary documents necessary to accomplish the acquisition;
7. That the map exhibits and legal descriptions of the land interest (permanent and temporary limited easement rights) acquisitions are part of this resolution.

NOW THEREFORE BE IT FURTHER RESOLVED, the City Engineer is hereby directed to create a 'needs assessment' for creation of an Impact Fee District to allow for the City Sewer Utility to recover the entire costs of these acquisitions and improvements, as benefiting properties develop and / or connect to the public sewer.